



State of Washington
PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm. 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdca.wa.gov

9:30 a.m.
February 22, 2005

MINUTES – REGULAR MEETING

Evergreen Plaza Building, Room 206
711 Capitol Way South
Olympia, Washington

COMMISSION MEMBERS PRESENT

Michael Connelly, Chair
Jeannette Wood, Vice Chair
Francis Martin, Secretary
Earl Tilly, Member
Jane Noland, Member

STAFF PRESENT

Vicki Rippie, Executive Director
Susan Harris, Asst. Director
Michael Smith, Chief Technology Officer
Nancy Krier, Senior Counsel
Linda Dalton, Sr. Asst. Attorney General
Linda Moran, Sr. Asst. Attorney General
Ruthann Bryant, Secretary

The regular meeting of the Public Disclosure Commission was called to order by Commission Chair Michael Connelly at 9:30 a.m. in the Evergreen Plaza Building, Room 206, Olympia, Washington.

Commissioner Comments

Commissioner Connelly noted that Karen Copeland, Director of Administration, is retiring after 30 years of service to the Public Disclosure Commission and Susan Harris, Assistant Director, is becoming the Executive Director of the Executive Ethics Board. He thanked them both for their hard work and dedication.

Citizen Comments/Concerns

No citizen comments or concerns were expressed.

Minutes

Motion 05-069

Moved by Commissioner Tilly, seconded by Commissioner Martin:

**The Commission adopts the minutes
of January 25, 2005, as written.**

The motion passed unanimously.

Rule Making

Doug Ellis summarized draft language to the following rules:

- Amend WAC 390-37-090 Informal settlement – Cases resolvable by stipulation prior to an enforcement hearing (adjudicative proceeding), or by other alternative dispute mechanisms
- Amend WAC 390-37-060 Enforcement procedures – Investigation of complaints – Initiation of hearing (adjudicative proceeding)
- Amend WAC 390-19-030 Electronic filing – Reporting threshold
- Amend WAC 390-16-125 Mini campaign reporting – Exceeding limitations

The Commission requested that this draft rule be modified to require that a candidate provide notification of change from Mini reporting to full reporting in writing.

- Amend WAC 390-16-105 Mini campaign reporting - Eligibility
- Amend WAC 390-20-130 Forms for statement of employment of legislators, state officers, and state employees
- Amend WAC 390-16-309 Identification of Affiliated Entities

The Commission expressed concern with the draft language and requested that staff bring revised language to a future meeting.

- Amend WAC 390-17-302 Contributions after the Primary Election

Motion 05-070

Moved by Commissioner Wood, seconded by Commissioner Martin:

**The Commission approves draft
language, as discussed, for WAC 390-
37-090, WAC 390-37-060, WAC 390-19-**

030, WAC 390-16-125, WAC 390-16-105, WAC 390-20-130 and WAC 390-17-302 and authorizes staff to move forward with the rule-making process.

The motion passed unanimously.

Advisory Matter

Doug Ellis briefly discussed reporting of charitable contributions by lobbyists and lobbyist employers. He noted that staff has decided not to do an interpretation but will draft a rule for commission consideration at a future meeting.

Legislation

Vicki Rippie updated the Commission on current legislation that would have an impact on the operation of the Public Disclosure Commission if passed into law.

Agency Request:

- House Bill 1143 PDC Enforcement Efficiencies/Penalties
- House Bill 1144 Electioneering Communications

Surplus Funds:

- House Bill 1104 Disposal of Surplus Funds
- Senate Bill 5679 Surplus Political Funds

Contribution Limits:

- House Bill 1226 Contribution Limits for Certain Local and Judicial Candidates

Ms. Rippie noted that the technical amendment requested by the Commission at the January meeting was included in the version of the bill passed out of policy committee. She added that the agency has submitted a fiscal note in the amount of \$122,000 for this bill.

- House Bill 1525 Regulating campaign finances

Primary Election:

- Senate Bill 5219 Changing primary dates
- Senate Bill 5927 Date of Primary election

The Commission supports the technical amendment recommended by staff.

- House Bill 1913 Primary election date

Motion 05-071

Moved by Commissioner Noland, seconded by Commissioner Martin:

The Commission approves staff testifying in support of retaining the session freeze during special sessions.

The motion passed unanimously.

- House Bill 1750 Modifying primary election law
- House Bill 1604 Revising various election laws

Public Funding:

- Senate Bill 5367 Relating to Use of Public Funds for Political Purposes
- House Bill 1526 Campaigns/Public Financing

Additional PDC Related Legislation:

- House Bill 1130 Eliminating drop-in inspections for campaign accounts
- House Bill 1133 Reorganizing Public Disclosure Law
- House Bill 1389 Relating to grounds for recall
- Senate Bill 5711 Relating to prohibiting labor organizations from using union dues for political purposes
- Senate Bill 5408 Mailed political advertising
- Senate Bill 5879 Prohibiting out-of-state contributions to gambling ballot measures
- House Bill 1877 Modifying the definition of manager under the state civil service law

Motion 05-072

Moved by Commissioner Noland, seconded by Commissioner Wood:

The Commission approves staff testifying to express concerns with the seven percent maximum placed on the total number of agency WMS employees and to request that small

agencies be exempt from this upper limit.

The motion passed unanimously.

Professional Staff

Susan Harris stated that the Public Disclosure Law requires professional staff of the House, Senate and Office of the Governor to file an annual Financial Affairs Statement. The Commission is required to conduct a review of these professional staff positions each year. The House, Senate and Governor's office have submitted a list of persons and positions they believe meet the requirements of professional staff.

Motion 05-073

Moved by Commissioner Tilly, seconded by Commissioner Martin:

The Commission approves the lists of professional staff required to file Financial Affairs Statements with the Public Disclosure Commission as proposed by the Governor's Office, House of Representatives, and State Senate.

The motion passed unanimously.

Reporting Modifications

Renewal (no change)

*Orlan Gessford, School Director,
Washougal School District
No 112-6*

Kurt Young reported that Mr. Gessford requests an exemption from reporting the business customers of Washington Dental Service of which he is a trustee.

Motion 05-074

Moved by Commissioner Wood, seconded by Commissioner Martin:

The Commission grants Orlan Gessford the requested reporting modification.

The Commission finds that literal application would cause a manifestly unreasonable hardship on the applicant and that a limited

modification would not frustrate the purposes of the act.

The motion passed unanimously.

Executive Session

The Commission went into executive session at 11:15 a.m. to discuss pending and potential litigation with legal counsel.

Public Session

The Commission returned to public session at 11:55 a.m.

Staff Reports

Executive Director

Vicki Rippie reported that a job announcement for the Assistant Director position has been posted to the website and applications are being accepted until March 7th. She also briefly discussed Karen Copeland's retirement party.

Assistant Director

Susan Harris reported on brief enforcement hearings held on February 16, 2005.

Chief Technology Officer

Michael Smith summarized a meeting with Glenn Briskin of Briskin Consulting and reported that the ORCA project is on target.

Adjournment

Commissioner Connelly adjourned the meeting at 3:35 p.m. The next meeting is scheduled for Thursday, March 31, 2005.

Approved by the Commission 4/26/05